

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:22-CV-61553-DIMITROULEAS/HUNT

CRUZ VALDIVIESO FIGUERA,

Plaintiff,

vs.

ALL VIP CARE INC. AND
LIZ VELAZQUEZ MCKINNON,

Defendants.

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ORDER

THIS CAUSE is before the Court upon Plaintiff's Motion for Partial Summary Judgment [DE 64] (the "Motion") and Plaintiff's Statement of Material Facts in Support of Motion for Summary Judgment [DE 65], both filed July 20, 2023. The Court has carefully considered the Motion is otherwise fully advised in the premises.

Plaintiff's Motion for Partial Summary Judgment [DE 64] and Plaintiff's Statement of Material Facts in Support of Motion for Summary Judgment [DE 65] must be stricken because Plaintiff filed the motion past the July 18, 2023 dispositive motion deadline set forth in the Court's Scheduling Order [DE 20] without seeking the Court's permission to file a late motion and/or to extend the dispositive motion deadline. As the Court already stated in its July 19, 2023 Order Striking Plaintiff's Motion for Partial Summary Judgment [DE 63], when a party waits until the deadline to file a motion, it takes the risk that if the motion is stricken or denied on procedural grounds the party will not be given an opportunity to remedy the defect after the filing deadline has passed.

Accordingly, it is **ORDERED AND ADJUDGED** that Plaintiff's Motion for Partial Summary Judgment [DE 64] and Plaintiff's Statement of Material Facts [DE 65] are hereby **STRICKEN**.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 20th day of July, 2023.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished:
Counsel of record